

1  
2  
3  
4  
5  
6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
8

9 RONALD GUERRERO,

10 Plaintiff,

11 v.

12 JO ANNE B. BARNHART,  
13 Commissioner of Social Security,

14 Defendant.

3:06-CV-360-BES-RAM

**ORDER**

15 Before the Court is the Report and Recommendation of the United States Magistrate  
16 Judge (#14) ("Recommendation") entered on September 26, 2007, in which the Magistrate  
17 Judge recommends that this Court enter an order granting Plaintiff's Motion for Remand of the  
18 Commissioner's Decision (#9) and denying Defendant's Cross-Motion to Affirm the  
19 Commissioner's Final Decision (#12) and that the decision of the Administrative Law Judge  
20 ("ALJ") be reversed and remanded for further proceedings consistent with the terms of the  
21 Recommendation. No objections have been filed.

22 The Court has conducted a *de novo* review of the record in this case, considering fully  
23 all relevant matters of record pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 3-2.  
24 After a review and determination in accordance with the requirements of 28 U.S.C. § 636 and  
25 applicable case law, and good cause appearing,

26 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and  
27 Recommendation (#14) entered on September 26, 2007, is adopted and accepted without

28 ///

1 modification. Thus, in accordance with the Report and Recommendation, Plaintiff's Motion  
2 for Remand of the Commissioner's Decision (#9) is GRANTED.

3 IT IS FURTHER ORDERED that Defendant's Cross-Motion to Affirm (#12) is DENIED,  
4 and the decision of the ALJ be REVERSED and REMANDED for further proceedings  
5 consistent with the terms of the Recommendation. The Clerk shall enter judgment accordingly.

6 IT IS SO ORDERED.

7 DATED: This 10<sup>TH</sup> day of October, 2007.

8  
9 

10 UNITED STATES DISTRICT JUDGE  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28